

UNITED STATES DISTRICT COURT

Southern

District of

Indiana

UNITED STATES OF AMERICA

V.

WILLIAM F. CONOUR

2nd AMENDED JUDGMENT IN A CRIMINAL CASE

Case Number: 1:12CR00129-001

USM Number: 10620-028

Date of Original Judgment: 7/9/2014

(Or Date of Last Amended Judgment)

Pro Se

Defendant's Attorney

Reason for Amendment:

- ☒ Correction of Sentence on Remand (18 U.S.C. 3742(f)(1) and (2))
- ☐ Reduction of Sentence for Changed Circumstances (Fed. R. Crim. P. 35(b))
- ☐ Correction of Sentence by Sentencing Court (Fed. R. Crim. P. 35(a))
- ☐ Correction of Sentence for Clerical Mistake (Fed. R. Crim. P. 36)
- ☐ Modification of Supervision Conditions (18 U.S.C. §§ 3563(c) or 3583(e))
- ☐ Modification of Imposed Term of Imprisonment for Extraordinary and Compelling Reasons (18 U.S.C. § 3582(c)(1))
- ☐ Modification of Imposed Term of Imprisonment for Retroactive Amendment(s) to the Sentencing Guidelines (18 U.S.C. § 3582(c)(2))
- ☐ Direct Motion to District Court Pursuant ☐ 28 U.S.C. § 2255 or ☐ 18 U.S.C. § 3559(c)(7)
- ☐ Modification of Restitution Order (18 U.S.C. § 3664)

THE DEFENDANT:

- ☒ pleaded guilty to count(s) 1
- ☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.
- ☐ was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. § 1343	Wire Fraud	4/27/2012	1


The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) _____
- ☐ Count(s) _____ ☐ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

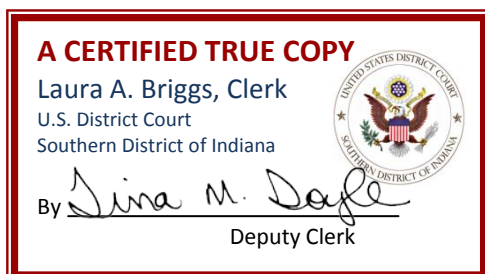
3/16/2016

Date of Imposition of Judgment


RICHARD L. YOUNG, CHIEF JUDGE
United States District Court
Southern District of Indiana

3/23/2016

Date



DEFENDANT: WILLIAM F. CONOUR
CASE NUMBER: 1:12CR00129-001

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of : 120 months

- ☒ The court makes the following recommendations to the Bureau of Prisons:
That the defendant be designated to a facility close to his family and home, specifically Morgantown, WV; Lexington, KY; or Ashland, KY. The Court also recommends the defendant be evaluated and allowed to participate in the Residential Drug Abuse Program, if possible.
- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district:
- ☐ at _____ ☐ a.m. ☐ p.m. on _____ .
- ☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☐ before 2 p.m. on _____ .
- ☐ as notified by the United States Marshal.
- ☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____ with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

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SUPERVISED RELEASE*

Upon release from imprisonment, the defendant shall be on supervised release for a term of : Not Applicable

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CRIMINAL MONETARY PENALTIES

The defendant must pay the following total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 100.00	\$	\$ 6,001,489.07

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☒ The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Antonio Almanza	\$30,000.00	\$30,000.00	
Marcia Anderson	\$74,775.00	\$74,775.00	
David & Laurie Beals	\$107,501.00	\$107,501.00	
Kristin Beals	\$198,460.00	\$198,460.00	
Scott & Regina Bousum	\$162,073.70	\$162,073.70	
Lorraine Bunn	\$155,937.55	\$155,937.55	
Ashley Carnell	\$197,753.17	\$197,753.17	
Darrell Carnell	\$197,753.17	\$197,753.17	
Cory Cochlin	\$149,659.00	\$149,659.00	
Zack Condon	\$240,000.00	\$240,000.00	
Tonja Eagan	\$32,000.00	\$32,000.00	
Rene DiBenedetto	\$58,212.95	\$58,212.95	
Jesus Flores	\$471,862.22	\$471,862.22	
James Fox	\$450,000.00	\$450,000.00	
Gracelynn Harrison	\$62,395.75	\$62,395.75	
Robert Hurd	\$682,059.08	\$682,059.08	
Lee Imel	\$195,871.83	\$195,871.83	
David Jones	\$68,300.00	\$68,300.00	
TOTALS	\$ 6,001,489.07	\$ 6,001,489.07	

☐ Restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☒ The court determined that the defendant does not have the ability to pay interest, and it is ordered that:

☒ the interest requirement is waived for the ☐ fine and/or ☒ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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ADDITIONAL RESTITUTION PAYEES
(Continued)

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
James Love	\$35,000.00	\$35,000.00	
Tyler Monroe (James Monroe)	\$494,005.68	\$494,005.68	
Caleb Paul	\$151,000.00	\$151,000.00	
Nicki Reath	\$46,000.00	\$46,000.00	
Juan Rivera	\$150,000.00	\$150,000.00	
Estate of Wayne Specht	\$486,856.72	\$486,856.72	
Eric Stouder	\$50,000.00	\$50,000.00	
Mary & Courtney Tarwater	\$99,699.42	\$99,699.42	
Phil Warriner	\$162,600.00	\$162,600.00	
Dustin Webb	\$150,000.00	\$150,000.00	
Aaron Weber	\$157,712.83	\$157,712.83	
Brad Whiteman	\$54,000.00	\$54,000.00	
Roger Yanes	\$430,000.00	\$430,000.00	

Totals \$ 6,001,489.07 \$ 6,001,489.07

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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A ☐ Lump sum payment of _____ due immediately, balance due
☐ not later than _____, or
☐ in accordance ☐ C ☐ D ☐ E or ☐ F below; or
- B ☒ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☒ F below); or
- C ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☒ Special instructions regarding the payment of criminal monetary penalties:
If this case involves other defendants, each may be held jointly and severally liable for payment of all or part of the restitution ordered herein, and the Court may order such payment in the future.

Any unpaid restitution balance during the term of supervision shall be paid at a rate of not less than 10% of that defendant's gross monthly income.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

Defendant Name

Case Number

Joint & Several Amount

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s): _____
- ☒ The defendant shall forfeit the defendant's interest in the following property to the United States:
All items seized by the government.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.